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United States of America

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

COLMAR PROPERTIES, LLC and
COLEMAN D. MOORE,

Plaintiffs,

v.

COMMISSIONER OF THE INTERNAL
REVENUE SERVICE,

Defendant.

Case No. C-05-0912 MMC

**ORDER APPROVING STIPULATION
RE: EXTENSION OF TIME TO
RESPOND TO DEFENDANT'S
SUPPLEMENTAL MEMORANDUM IN
SUPPORT OF MOTION TO DISMISS
AND FOR SUMMARY JUDGMENT**

Plaintiff Colmar Properties, LLC and Defendant United States of America, by and through
their respective counsel, hereby stipulate that Plaintiff be permitted up to and including April 24, 2006

1 to respond to Defendant's Supplemental Memorandum In Support of Motion To Dismiss and For
2 Summary Judgment ("Supplemental Memorandum"), stating as follows:

3
4 1. Defendant filed its Application for Permission to File its Supplemental Memorandum
5 with the Court on March 21, 2006;

6 2. On March 22, 2006, the Court granted Defendant's request to file the Supplemental
7 Memorandum and ordered Plaintiff to file any opposition by March 31, 2006;

8 3. Plaintiff's counsel is currently in trial, which is expected to last until mid-April, 2006.
9 In light of Plaintiff's counsel heavy trial commitment, Plaintiff requested additional time to
10 respond to the Supplemental Memorandum, up to and including April 24, 2006.

11 4. Defendant's counsel agreed to Plaintiff's request.

12 5. The parties therefore stipulate that Plaintiff has up to and including April 24, 2006 to
13 file any opposition to the Supplemental Memorandum.
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15
16 DATED: March 27, 2006

Respectfully submitted,

17 TOWNSEND AND TOWNSEND AND CREW LLP
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19 By: /S/
20 DANIEL J. FURNISS

21 Attorneys for Plaintiffs
Colmar Properties, LLC and Coleman D. Moore

22 UNITED STATES ATTORNEY
23

24 By: /S/
25 JAY R. WEILL

26 Attorneys for Defendant
United States of America

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ORDER

Based on the foregoing stipulation, Plaintiff Colmar Properties, LLC has up to and including April 24, 2006 to file any opposition to the Supplemental Memorandum, and Defendant may file a reply no later than May 5, 2006. As of May 5, 2006, the Court will take the matter under submission.

IT IS SO ORDERED.

DATED: March 28, 2006

By: 
MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE